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Crime prevention and criminal justice

Bangladesh, Belarus, India, Kazakhstan, Kenya and Philippines: revised draft resolution

Improving the coordination of efforts against trafficking in persons

The General Assembly,

Reiterating its concern that despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the grave challenges facing the international community, which also impairs the enjoyment of human rights and needs a more concerted collective and comprehensive international response,

Recalling the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] which provided the definition of the crime of trafficking in persons, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[3] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[4]

Recalling also its resolution 64/178 of 18 December 2009 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons and other contemporary forms of slavery,[5]

Reaffirming its resolution 64/293 of 30 July 2010 on the United Nations Global Plan of Action to Combat Trafficking in Persons,

[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2237, No. 39574.
[3] Ibid., vol. 2171, No. 27531.
[4] Ibid., vol. 266, No. 3822.
[5] Resolutions 55/67, 58/137, 59/166, 61/144, 61/180, 63/156 and 63/194.

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Recalling Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

Affirming resolution 20/3 of the Commission on Crime Prevention and Criminal Justice of 15 April 2011, entitled "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons",[6]

Affirming also Human Rights Council resolution 20/1 of 5 July 2012, entitled "Trafficking in persons, especially women and children: access to effective remedies for trafficked persons and their right to an effective remedy for human rights violations", and other relevant Human Rights Council resolutions on trafficking in persons,[7]

Recognizing that, in accordance with the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States parties to combat transnational crime and to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, by facilitating the development and exchange of relevant information, programmes and practices and by cooperating with relevant international and regional organizations and non-governmental organizations, and recognizing also that each State party shall provide the Conference of the Parties with information on its programmes, plans and practices, as well as legislative and administrative measures to implement the Convention,

Recognizing also the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recognizing further that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing that victims of trafficking are often subject to multiple forms of discrimination and violence, including on the grounds of gender, age, disability, ethnicity, culture and religion, as well as national or social origin, and that these forms of discrimination may themselves fuel trafficking in persons, and that women and children without nationality or without birth registration are particularly vulnerable to trafficking in persons,

Recognizing also the important role of the Inter-Agency Coordination Group against Trafficking in Persons in fostering coordination and cooperation in the global fight against trafficking in persons, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Entity for Gender Equality and

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[6] See *Official Records of the Economic and Social Council, 2011, Supplement No. 10* (E/2011/30), chap. I, sect. D.

[7] Resolutions 8/12, 11/3, 14/2 and 17/1.

the Empowerment of Women, the International Labour Organization, the International Organization for Migration and other intergovernmental organizations, within their existing mandates,

Recognizing further the need to continue fostering a global partnership against trafficking in persons and other contemporary forms of slavery and the need to continue to work towards an enhanced comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

Stressing the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community by taking into account the Recommended Principles and Guidelines on Human Rights and Human Trafficking[8] and the commentary thereon developed by the Office of the United Nations High Commissioner for Human Rights, as well as the Guidelines on the Protection of Child Victims of Trafficking developed by the United Nations Children's Fund,

Recognizing that poverty, unemployment, lack of socioeconomic opportunities, gender-based violence, discrimination and marginalization are some of the contributing factors that make persons vulnerable to trafficking in persons,

Recognizing also that the ongoing global economic crises and increasing inequalities and social exclusion and their consequences are likely to further aggravate the conditions that render people and communities vulnerable to trafficking in persons and the smuggling of migrants,

Affirming that capacity-building is a very important component in combating trafficking in persons, and in this regard stressing the need to intensify international cooperation to combat trafficking in persons, as well as technical assistance for countries aimed at strengthening their ability to prevent all forms of trafficking, including supporting their development programmes,

Aware of the need to raise public awareness with the aim of eliminating the demand for trafficking in persons, in particular for the purpose of sexual exploitation and forced labour,

Reaffirming the commitment made by world leaders at the Millennium Summit, the 2005 World Summit and the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, held in 2010, to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons, to counter the demand for trafficked victims and to protect the victims,

Taking note of the report of the Secretary-General on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime,[9] which focuses, inter alia, on issues of trafficking in persons,

Welcoming the report of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children,[10]

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[8] E/2002/68/Add.1.

[9] A/67/156.

[10] A/67/261.

Taking note of the outcomes of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its sixth session, held in Vienna from 15 to 19 October 2012,[11] and the outcomes of the fourth session of the Open-ended Interim Working Group on the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, held in Vienna from 10 to 12 October 2011,

Reaffirming the importance of humanitarian, legal and financial aid to victims of trafficking in persons, including through governmental, intergovernmental and non-governmental organizations, including the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in compliance with the Global Plan of Action to Combat Trafficking in Persons, as well as the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Welcoming the interactive dialogue of the General Assembly on the theme "Fighting human trafficking: partnership and innovation to end violence against women and girls", held in New York on 3 April 2012, which provided an opportunity for Member States, international organizations, civil society and the private sector to unite as one in the global fight against trafficking in persons,

Welcoming also the signing, ratification and accession by a number of Member States in the period from 2010 to 2012 to the United Nations Convention against Transnational Organized Crime, which brings the number of parties to 172, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which brings the number of parties to 153,

1. *Affirms* that trafficking in persons violates and impairs the enjoyment of human rights and fundamental freedoms and requires a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination for its eradication;

2. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

3. *Also urges* Member States that have not yet done so to sign and ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[12] the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[13] and the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization,

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[11] See CTOC/COP/2012/__.

[12] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[13] Ibid., vol. 266, No. 3822.

and also urges States parties to those instruments to implement them fully and effectively;

4. *Notes with appreciation* the steps taken by human rights treaty bodies and the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, the Special Rapporteur of the Council on violence against women, its causes and consequences, the Special Representative of the Secretary-General on violence against children, the Special Rapporteur of the Council on the sale of children, child prostitution and child pornography and the Special Rapporteur of the Council on contemporary forms of slavery, including its causes and consequences, and United Nations agencies and other concerned intergovernmental and governmental organizations, within their existing mandates, as well as civil society, to address the serious crime of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

5. *Calls upon* Governments to continue their efforts to criminalize trafficking in persons in all its forms, including for labour exploitation and sexual exploitation of children, to take measures to criminalize child sex tourism, to condemn the practice of trafficking in persons and to investigate, prosecute, condemn and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

6. *Encourages* all stakeholders, including the private sector, to strengthen the coordination of efforts to prevent and combat trafficking and to protect, assist and provide effective remedies to the victims of trafficking, including through the Inter-Agency Coordination Group against Trafficking in Persons and regional and bilateral initiatives that promote cooperation and collaboration;

7. *Recognizes* the importance of comparable data disaggregated by type of trafficking in persons, including sex and age, as well as of strengthening national capacity for gathering, analysing and reporting such data, and welcomes the efforts of the Inter-Agency Coordination Group, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies;

8. *Acknowledges* the important work on data collection and analysis conducted by the United Nations Office on Drugs and Crime under its Global Programme against Trafficking in Human Beings by the International Organization for Migration through its Global Counter-Trafficking Module database and by the International Labour Organization through its global database on forced labour, trafficking and slavery-like practice;

9. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates on combating trafficking in persons, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States

to provide voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of providing assistance to Member States upon request;

10. *Welcomes* the work done by the United Nations Office on Drugs and Crime and expresses its full support for its activities in fighting trafficking in persons, and looks forward to the launch, within existing resources, of the report entitled "Trafficking in persons: global patterns", produced by the Office, as called for in General Assembly resolution 64/293 of 30 July 2010, at United Nations Headquarters no later than January 2013;

11. *Invites* States and all other relevant stakeholders to continue contributing to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and acknowledges previous and ongoing contributions to other funding sources that support efforts to combat trafficking in persons;

12. *Recalls* its decision to conduct, in 2013, an appraisal of the progress achieved in the implementation of the Global Plan of Action to Combat Trafficking in Persons, and therefore decides to convene, within existing resources, a high-level meeting of the General Assembly at its sixty-seventh session, no later than July 2013, in order to assess achievements, gaps and challenges, including in the implementation of the relevant legal instruments;

13. *Requests* the Secretary-General, in close cooperation with Member States, to take all necessary measures to arrange that high-level meeting, and invites the President of the General Assembly to appoint two co-facilitators to assist him in conducting open-ended informal consultations with Member States with a view to determining the modalities of that meeting, including on the participation of international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, whose role is emphasized in the Global Plan of Action;

14. *Requests* the President of the General Assembly to prepare a summary of the high-level meeting;

15. *Requests* the Secretary-General to continue, within existing reporting obligations, the practice of including a section on the implementation by the United Nations system of the Global Plan of Action to Combat Trafficking in Persons in his report to the General Assembly under the item on crime prevention and criminal justice, and further requests the Secretary-General to include therein a section on the implementation of the present resolution, bearing in mind the scope of previous reports on this issue.[14]

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[14] A/63/90, A/64/130, A/65/113.